

CONCURRENCE IN SENATE AMENDMENTS

AB 2604 (Berman)

As Amended August 13, 2026

Majority vote

SUMMARY

Requires the Secretary of State (SOS) to implement and make available to county election officials a system that allows voters to access electronic signature curing.

Senate Amendments

Make technical and clarifying changes.

COMMENTS

It is not uncommon for a vote by mail (VBM) ballot to be returned in an envelope that is missing the voter's signature or with a signature that doesn't compare to signatures in the voter's record. In the last several years, the Legislature has taken a number of steps to reduce the number of VBM ballots that are rejected for these reasons. Notably, AB 477 (Mullin), Chapter 726, Statutes of 2015, and SB 759 (McGuire), Chapter 446, Statutes of 2018, created processes for a voter to verify their VBM ballot if the voter failed to sign the VBM ballot return envelope, or if the signature on that envelope did not compare to the signatures in the voter's registration record. These processes are commonly referred to as "cure processes," and the forms used by voters to verify their ballots as a part of these processes are commonly referred to as "signature cure forms."

Under existing law, a voter may submit their signature cure form by mail, in person, via a ballot dropbox, a voting location, email, or fax. Additionally, in an effort to modernize the process, AB 1037 (Berman), Chapter 673, Statutes of 2023, permits a voter to return a completed signature cure form by electronic means, if such means are made available by the elections official, as specified.

Some counties have implemented an electronic signature cure process that allows a voter to cure their ballot using a text platform, also known as a text-message-based system or a text to cure system. Voters sign on the screen of their phone or tablet and submit it using a secure platform. For example, Contra Costa County Registrar of Voters implemented a text message signature cure process during the 2024 primary election. For the 2025 statewide special election, Contra Costa sent 3,643 cure letters for nonmatching signatures and voters cured 971 signatures, including 284 using Text to Cure and 58 using email (with the remainder by mail). They received feedback that this option was particularly appealing for younger voters, and an important benefit since 18-24 year-old voters make up the largest demographic in the county whose signatures are challenged and can be cured.

The Senate Amendments make technical and clarifying changes. This bill, as amended in the Senate, is consistent with prior Assembly actions.

According to the Author

"In our last general election in November 2024, over 69% of rejected vote-by-mail ballots were for either a missing or non-matching signature. That amounted to nearly 85,000 ballots. Current law provides that if there is a missing or non-matching signature on the vote-by-mail ballot

envelope, our elections officials notify the voter of the problem and how to correct the issue. In response to my AB 1037 from 2023, several counties have chosen to offer voters mobile curing as a secure, effective, and voter-friendly option to correct a missing or non-matching signature. Unfortunately, far too many curable ballots are still not corrected. Accordingly, AB 2604 would simply provide for statewide adoption of mobile ballot curing, thereby making it more likely that eligible ballots are counted and less likely that voters are disenfranchised."

Arguments in Support

In support of a prior version of this bill, the sponsors, California Voter Foundation and Protect Democracy United, wrote, "As documented by the Secretary of State, a significant share of rejected vote-by-mail ballots results from missing or non-matching signatures—comprising nearly half of all rejections in the November 2022 election and more than two-thirds in the November 2024 election. These preventable errors disproportionately affect voters who otherwise fully comply with all voting requirements. AB 2604 addresses this challenge by facilitating statewide adoption of mobile signature curing, allowing voters to quickly and securely resolve signature issues through an electronic system.

Several counties have already demonstrated that mobile curing is an effective, secure, and voter-friendly tool. AB 2604 would build on that success by enabling the Secretary of State to implement or support a uniform statewide system, improving cure rates and reducing the number of ballots that go uncounted...In addition to the enfranchisement benefits of this process, it is significantly more cost-effective to implement a solution statewide than the current county-by-county approach, based on information from leading companies that offer these services."

Arguments in Opposition

With an oppose unless amended position of this bill, the Secretary of State Shirely N. Weber, Ph.D., writes, "The Secretary of State's office does not oppose any technology solution that may help speed up the count in California's elections, so long as that technology is appropriately regulated and does not pose any insurmountable cybersecurity hazards. Unfortunately AB 2604 at this moment does not pass either test, in part due to the reluctance of the bill's sponsor to accept our amendment to designate the Secretary of State's office as the entity to test and certify whatever technology would be sanctioned by this bill. I appreciate the bill's goal of modernizing and improving signature curing processes for California voters. With the recommended changes, I believe this legislation can be both practical and secure while expanding access to signature curing options."

FISCAL COMMENTS

According to the Senate Appropriations Committee, the SOS indicates that it would incur annual costs in the millions of dollars to implement a statewide text-message-based ballot curing system (General Fund).

VOTES:

ASM ELECTIONS: 6-2-0

YES: Pellerin, Bennett, Berman, Elhawary, Solache, Stefani

NO: Gallagher, Johnson

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 58-20-2

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

ABS, ABST OR NV: Muratsuchi, Celeste Rodriguez

UPDATED

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